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JUL 24 2007

**OFFICE OF PETITIONS**

In re Application of :  
Shin-Tson Wu et al. :  
Application No. 10/786,282 : DECISION ON PETITION  
Filed: February 24, 2004 :  
Attorney Docket No. UCF-388 :  
:

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 4, 2007, and resubmitted May 4, 2007, to revive the above-identified application.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to timely pay the entire issue fee on or before February 21, 2007, as required by the Notice of Allowance and Fee(s) Due, mailed November 21, 2006, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on February 22, 2007.

The rules and statutory provisions governing the operations of the U.S. Patent and Trademark Office require payment of a fee on filing each petition to revive an abandoned application for patent based on unintentional delay or to accept an unintentionally delayed payment of a fee for issuing a patent. In this instance, the fee required by law is \$1,500. If applicant can qualify as a "small entity" and does so prior to or together with the payment of the fee, the fee will be one-half of the amount indicated. See 37 CFR 1.27.

The petition in the above-identified application was not accompanied by payment of the required fee. No consideration on the merits can be given that petition until the required fee is received.

Although the petition filed May 4, 2007 was accompanied by a Credit Card Payment Form (PTO-2038) for payment of the \$1,500.00 petition fee and \$400.00 unpaid portion of the issue

fee, the credit card account # was illegible. Consequently, the required fees could not be charged to an account and remain unpaid.

Further correspondence with respect to this matter should be addressed as follows:

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By fax: (571) 273-8300  
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Any questions concerning this matter may be directed to Christopher Bottorff at (571) 272-6052 or in his absence, the undersigned at (571) 272-7099.



David Bucci  
Petitions Examiner  
Office of Petitions